

Fill in this information to identify your case:Debtor 1 Timothy M. DinkensDebtor 2 Kelly J. Dinkens
(Spouse, if filing)United States Bankruptcy Court for the Northern District of OhioCase number 3:15-bk-31303
(If known)☐ Check if this is an amended filing

Chapter 13 Plan

Part 1:**Notices****To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan.

The following matters may be of particular importance to you. *Boxes must be checked by debtor(s) if applicable:*

- ☒ The plan seeks to limit the amount of a secured claim as set out in Part 3, Section 3.2, which may result in a partial payment or no payment at all to the secured creditor.
- ☐ The plan requests the avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest as set out in Part 3, Section 3.4
- ☐ The plan sets out nonstandard provisions in Part 9.

Income status of debtor(s), as stated on Official Form 22C-1

Check one.

- ☒ The current monthly income of the debtor(s) is less than the applicable median income specified in 11 U.S.C. § 1325(b)(4)(A).
- ☐ The current monthly income of the debtor(s) is **not** less than the applicable median income specified in 11 U.S.C. § 1325(b)(4)(A).

Part 2:**Plan Payments and Length of Plan****2.1 Debtor(s) will make regular payments to the trustee as follows:**

Monthly Payment	Plan month(s)
\$466.00	1 - 26
\$933.00	27 - 35
\$1009.00	36 - 60

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in Parts 3 through 6 of this plan.

2.2 Payments to the trustee will be made from future earnings in the following manner:

Check all that apply:

- ☐ Debtor(s) will make payments pursuant to a payroll deduction order.
- ☒ Debtor(s) will make payments directly to the trustee.
- ☐ Other (specify method of payment): N/A

2.3 Income tax refunds.

Check one:

- ☐ Debtor(s) will retain any tax refunds received during the plan term.
- ☐ Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.
- ☒ Debtor(s) will treat income tax refunds as follows:
50% of all tax refunds will be paid to Trustee

2.4 Additional payments.

Check one.

- ☒ **None.** if *None* is checked, the rest of section 2.4 need not be completed or reproduced.

Part 3: Treatment of Secured Claims

3.1 Maintenance of payments and cure of any default, if any

Check one.

- ☐ **None.** If *None* is checked, the rest of section 3.1 need not be completed or reproduced.
- ☒ The debtor(s) will maintain the contractual installment payments on the claims listed below, with any changes required by the applicable contract, and cure any default in payments on the secured claims listed below. The allowed claim for any arrearage amount will be paid under the plan, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim or modification of a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease and all secured claims based on that collateral will no longer be treated by the plan. The final column includes only payments disbursed by the trustee rather than by the debtor.

Name of Creditor	HSBC Mortgage Services, Inc.			
Collateral	1000 Farmington Rd., Maumee, Ohio, legally described as: Lot number one (1) in Maumee Meadows Plat I, a Subdivision in the City of Maumee, Lucas County, Ohio, in accordance with Volume 60 of Plats, page 56, and The westerly twenty (20) feet of Lot number one (1) which includes the six (6) foot vacated alley, in Carrll's Subdivision, a Subdivision in the City of Maumee, Lucas County, Ohio, in accordance with Volume 11 of Plats, page 2.			
Current Installment Payment (including escrow)	Amount of arrearage	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	Estimated total payments by trustee
\$1,294.21 Disbursed by <input type="checkbox"/> Trustee <input checked="" type="checkbox"/> Debtor(s)	\$0.00	N/A	N/A	\$0.00
Name of Creditor	Chrysler Financial			
Collateral	2011 Chrysler 300			
Current Installment Payment (including escrow)	Amount of arrearage	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	Estimated total payments by trustee
\$467.39 Disbursed by <input type="checkbox"/> Trustee <input checked="" type="checkbox"/> Debtor(s)	\$0.00	N/A	N/A	\$0.00
Name of Creditor	Capital One - Bankruptcy Dept. - Yamaha			
Collateral	2008 Yamaha motorcycle			
Current Installment Payment (including escrow)	Amount of arrearage	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	Estimated total payments by trustee
\$76.00 Disbursed by <input type="checkbox"/> Trustee <input checked="" type="checkbox"/> Debtor(s)	\$0.00	N/A	N/A	\$0.00

3.2 Request for valuation of security and claim modification

Check one.

☐ **None.** If *None* is checked, the rest of section 3.2 need not be completed or reproduced.

This paragraph will only be effective if the applicable box in Part 1 of this plan is checked.

☒ The debtor(s) request that the court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the debtor(s) state that the value of the secured claim should be as stated below in the column headed Amount of secured claim. For secured claims of governmental units, unless otherwise ordered by the court, the amounts listed in proofs of claim filed in accordance with the Bankruptcy Rules control over any contrary amounts listed below. For each listed secured claim, the controlling amount of the claim will be paid in full under the plan with interest at the rate stated below.

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5 of this plan. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this plan. Unless otherwise ordered by the court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed *Amount of secured claim* will retain the lien until the earlier of:

- (a) payment of the underlying debt determined under nonbankruptcy law, or
- (b) discharge under 11 U.S.C. § 1328(a), at which time the lien will terminate and be released by the creditor. See Bankruptcy Rule 3015.

Name of Creditor	HSBC Mortgage Services, Inc.					
Collateral	1000 Farmington Rd., Maumee, Ohio, legally described as: Lot number one (1) in Maumee Meadows Plat I, a Subdivision in the City of Maumee, Lucas County, Ohio, in accordance with Volume 60 of Plats, page 56, and The westerly twenty (20) feet of Lot number one (1) which includes the six (6) foot vacated alley, in Carrll's Subdivision, a Subdivision in the City of Maumee, Lucas County, Ohio, in accordance with Volume 11 of Plats, page 2.					
Estimated Amount of creditor's total claim	Value of collateral	Amount of claims senior to creditor's claim	Amount of secured claim	Interest rate	Monthly payment to creditor	Estimated total of monthly payments
\$55,873.00	\$133,900.00	\$138,324.66	\$0.00	N/A	N/A	\$0.00

3.3 Secured claims excluded from 11 U.S.C. § 506*Check one.*☒ **None.** If *None* is checked, the rest of section 3.3 need not be completed or reproduced.**3.4 Lien avoidance***Check one.*☒ **None.** If *None* is checked, the rest of section 3.4 need not be completed or reproduced.**3.5 Surrender of collateral***Check one.*☒ **None.** If *None* is checked, the rest of section 3.5 need not be completed or reproduced.**Part 4: Treatment of Trustee's Fees and Priority Claims****4.1 General**

Trustee's fees and all allowed priority claims other than those treated in section 4.5 will be paid in full without interest.

4.2 Trustee's feesTrustee's fees are estimated to be 10.00% of plan payments; and during the plan term, they are estimated to total \$6,948.62.**4.3 Attorney's fees**The balance of the fees owed to the attorney for the debtor(s) is estimated to be \$2,400.00.**4.4 Priority claims other than attorney's fees and those treated in § 4.5***Check one.*☒ **None.** If *None* is checked, the rest of section 4.4 need not be completed or reproduced.**4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount***Check one.*☒ **None.** If *None* is checked, the rest of section 4.5 need not be completed or reproduced.**Part 5: Treatment of Nonpriority Unsecured Claims****5.1 Nonpriority unsecured claims not separately classified**Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*☒ the sum of \$45,738.00.☐ X 20.00% of the total amount of these claims.If the estate of the debtor(s) were liquidated under chapter 7 nonpriority unsecured claims would be paid approximately \$2,826.20. Payments on allowed nonpriority unsecured claims will be made in at least this amount.

5.2 Interest on allowed nonpriority unsecured claims*Check one.*☒ **None.** If *None* is checked, the rest of section 5.3 need not be completed or reproduced.**5.3 Maintenance of payments and cure of any default on nonpriority unsecured claims.***Check one.*☒ **None.** If *None* is checked, the rest of section 5.4 need not be completed or reproduced.**5.4 Other separately classified nonpriority unsecured claims***Check one.*☐ **None.** If *None* is checked, the rest of section 5.5 need not be completed or reproduced.☒ The nonpriority unsecured allowed claims listed below are separately classified and will be treated as follows:

Name of creditor	American Student Assistance		
Basis for separate classification and treatment	Amount of claim to be paid	Interest rate (if applicable)	Estimated total amount of payments
Debtor will pay \$160.93 monthly on this long term debt per 1322(b)5	\$9,655.80	N/A	\$9655.80

Part 6: Executory Contracts and Unexpired Leases**6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected.***Check one.*☒ **None.** If *None* is checked, the rest of section 6.1 need not be completed or reproduced.**Part 7: Order of Distribution of Trustee Payments****7.1 The trustee will make the monthly payments required in Parts 3 through 6 in the following order, with payments other than those listed to be made in the order determined by the trustee:**

1. Trustee's fees [§ 4.2]
2. Administrative claims including attorney fees [§ 4.3]
3. Current installment payments [§§ 3.1, 5.1, 6.1]
4. Secured claims excluded from 11 U.S.C. § 506 [§ 3.3], pro-rata with...
5. Secured claims paid at modified interest [§ 3.2]
6. Priority claims [§ 4.4], pro-rata with...
7. Assigned DSOs [§ 4.5]
8. Arrearage payments on secured claims [§ 3.1], pro-rata with...
9. Arrearage payments on assumed leases [§ 6.1]
10. Modified secured claims [§ 3.2], pro-rata with...
11. Unavoidable portion of avoided liens [§ 3.4]
12. Separately classified unsecured claims [§ 5.4]
13. Long-term unsecured debts [§ 5.3]
14. General Unsecured Claims (Required Dividend) [§ 5.1]
15. General Unsecured Claims (Optional Dividend) [§ 5.1]

Part 8: Vesting of Property of the Estate**8.1 Property of the estate shall revert in the debtor(s) upon**

Check the applicable box:

- ☐ Plan confirmation
- ☒ Closing of case
- ☐ Other: N/A

Part 9: Additional Plan Provisions

None

Part 10: Signatures

<u>/s/ Timothy M. Dinkens</u> Debtor 1	<u>05/29/2015</u> Month / day / year
<u>/s/ Kelly J. Dinkens</u> Debtor 2	<u>05/29/2015</u> Month / day / year
<u>/s/ James M Perlman</u> Attorney for the Debtor(s)	<u>05/29/2015</u> Month / day / year

Chapter 13 Plan Exhibit: Estimated Amounts of Trustee Payments

The trustee will make the following estimated payments on allowed claims in the order set forth in Section 7.1:

a.	Maintenance and cure payments on secured claims (Part 3, Section 3.1 total):	\$0.00
b.	Modified secured claims (Part 3, Section 3.2 total):	\$0.00
c.	Secured claims excluded from 11 U.S.C. § 506 (Part 3, Section 3.3 total):	\$0.00
d.	Judicial liens or security interests partially avoided (Part 3, Section 3.4 total):	\$0.00
e.	Administrative and other priority claims (Part 4 total):	\$9,348.62
f.	Nonpriority unsecured claims (Part 5, Section 5.2 total):	\$39,684.37
g.	Interest on allowed unsecured claims (Part 5, Section 5.3 total):	\$0.00
h.	Maintenance and cure payments on unsecured claims (Part 5, Section 5.4 total):	\$0.00
i.	Separately classified unsecured claims (Part 5, Section 5.5 total):	\$9655.80
j.	Arrearage payments on executory contracts and unexpired leases (Part 6, Section 6.1 total):	\$0.00
Total of a through j		\$58,688.79